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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12

13 JOSEPH NUNEZ AND EDWARD
14 NUNEZ,

15 Plaintiffs,

16 vs.

17 F/V VENGEANCE, BENEDICT
18 FERRANTE and Does 1-100, inclusive,

19 Defendants.
20

Case No: CV 11-04842 - LHK

**STIPULATION AND PROPOSED
ORDER TO EXTEND TIME TO
ANSWER**

21 **IT IS HEREBY STIPULATED AND AGREED** by and between plaintiffs Joseph
22 Nunez and Edward Nunez, by and through their attorney of record Daniel Cullem, and
23 defendants F/V Vengeance and Benedict Ferrante by and through their attorneys of record,
24 Lawrence E. Biegel, Vicki Schermer-Kleinkopf and Joseph A. Cisneros that:

25 **WHEREAS** the parties are very actively engaged in settlement discussions and have
26 reached an agreement in principle, and

27 **WHEREAS** plaintiffs and defendants are both hopeful that a settlement agreement will
28 be finalized shortly, and

1 **WHEREAS** the defendants have a responsive pleading due on January 17, 2012; and
2 **WHEREAS** defendants have not sought or obtained any previous extensions of time to
3 respond and thus respectfully request that the Court grant an additional two week extension of
4 time up to and including January 31, 2012, to allow the parties to either finalize the settlement
5 documents and/or allow defendant to file an appropriate responsive pleading;

6 **IT IS HEREBY RESPECTFULLY REQUESTED** by the parties, through their
7 respective counsel, that the Court grant the defendants a two week extension of time up to and
8 including January 31, 2012 by which to file a responsive pleading so as to allow the parties to
9 continue their settlement discussions and hopefully resolve this matter.

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11 Dated: January 12, 2012

THE BIEGEL LAW FIRM

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By:



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Lawrence E. Biegel
Vicki Schermer-Kleinkopf
Joseph Cisneros
Attorneys for defendants

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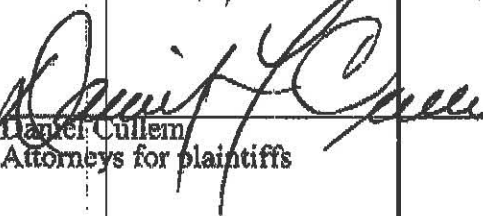
Dated: January 12, 2012

DANIEL CULLEM, ATTORNEY AT LAW

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By:



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Daniel Cullem
Attorneys for plaintiffs

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PROPOSED ORDER

Based upon the stipulation of counsel and good cause appearing therefor,

IT IS ORDERED that the time for defendants to file a responsive pleading in this matter shall be extended two weeks and that defendants shall have up to and including January 31, 2012 within which to file such a pleading.

Dated: January 17, 2012



LUCY H. KOH
United States District Judge